



Employment Policies for the State of North Dakota

EMPLOYMENT OF RELATIVES / NEPOTISM

Effective Date: 11/1/2018

The State of North Dakota, as the employer, has established an Employment of Relatives / Nepotism policy, which is modeled from current state law. This policy applies to all employees regardless of status.

A state official or state employee, in the exercise of that official's or employee's duties, may not serve in a supervisory capacity over, or enter a personal service contract with, that official's or employee's parent by birth or adoption, spouse, son or daughter by birth or adoption, stepchild, brother or sister by whole or half blood or by adoption, brother-in-law or sister-in-law, or son-in-law or daughter-in-law.

"Supervisory capacity" means the authority to appoint, employ, hire, assign, transfer, promote, evaluate, reward, discipline, demote, or terminate another employee.

"Evaluate" does not include evaluations by peers or subordinates.

This policy does not apply to an employment relationship or contract entered before August 1, 1999; nor to any employment relationship or contract entered before the state official or employee assumed the supervisory capacity; nor to any temporary work arrangement necessary to meet a critical and urgent agency need.

Any funds paid out in violation of this policy must be deducted from the salary of the hiring or contracting state official or state employee.

Any employee who is determined to have violated this policy will be subject to disciplinary action up to and including termination of employment.

References: NDCC 44-04-09, 10